## **BEST AVAILABLE COPY**

FEB 0 2 2006

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES



## United States Patent and Trademark Office

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

KENYON & KENYON 333 WEST SAN CARLOS STREET SUITE 600

**SAN JOSE, CA 95110** 

Appeal No: 2006-0681

Appellant:

STEPHEN R. SCHWARTZ 09/072,412

Application No: ..

Hearing Room: Α Hearing Docket:

Hearing Date:

Hearing Time:

Tuesday, March 07, 2006 01:00 PM

Madison Building - East Wing

Location:

600 Dulany Street, 9th Floor Alexandria, Virginia 22313-1450. \_\_

## NOTICE OF HEARING CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquires, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8\$00

BPAI Mailing Address:

BOARD OF PATENT APPEALS AND INTERFERENCES UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. BOX 1450

ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

HEARING ATTENDANCE CONFIRMED ( ) HEARING ATTENDANCE WAIVED

Names of other visitors expected to accompany counsel: Stephen R. For information on visitor access to hearing rooms and accurity procedures at the USPTO Alexandria Campus, see

http://www.uspio.pov/web/offices/dcom/bpui/docs/contacts/contact\_info.htm

06 FEB -6 AMII: 06

PATENT AND I BOARD OF PA U.S.



1500 K Street, NW Washington, DC 20005-1257 202.220.4200 Fax 202.220.4201

## Fax Transmission

From:

Shawn W. O'Dowd

Date:

February 14, 2006

Direct Dial:

202.220.4255

Fax:

202.220.4201

Client/Matter:

01538.15

Total number of pages:

2

(including cover)

Please deliver to:

| Name | Company | - 1.<br>18 ∰ | - 1 | Fax          | Phone |
|------|---------|--------------|-----|--------------|-------|
|      | BPAI    | •            |     | 571-273-0299 | İ     |

Message:



| Original will not follow Original will follow by |  | Regular Mail |  | Overnight Delivery |  | Hand Delivery |
|--|--|--------------|--|--------------------|--|---------------|
|--|--|--------------|--|--------------------|--|---------------|

The information contained in this facsimile transmission, including any attachments, is subject to the attorney-client privilege, the attorney work product privilege or is confidential information intended only for the use of the named recipient. If the reader of this Notice is not the intended recipient or the employee or agent responsible for delivering this transmission to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone, so that we may arrange for its return or destruction at our cost. Thank you.